

STANDARD COMPLAINT RESOLUTION PROCESS AS IT APPLIES TO DISPUTES REGARDING THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

The Department of Elementary and Secondary Education has a complaint resolution process in place. In a case where a dispute occurs regarding the education of a homeless child or youth, the following application of that process may be used:

- I. Local Level -- Every effort must be made to resolve the complaint or dispute at the local level before it is brought to the Department of Elementary and Secondary Education.
 - A. If a question concerning the education of a homeless child arises, the first person to contact in the school district is the Homeless Coordinator. Someone in every school or in the office of the Superintendent will be able to identify the homeless coordinator. If a complaint needs to be registered, the complainant should ask for a copy of the local complaint procedure and follow it. If the district does not have a complaint procedure in place, the following steps are suggested:
 1. Discuss the complaint with the Homeless Coordinator and ask for copies of the policies that the Board of Education in the district has adopted concerning the education of homeless children and youth.
 2. Determine if the decision causing the complaint is covered by board policy and is in line with that policy.
 3. If the complaint still seems justified, present it in writing and discuss it again with the Homeless Coordinator.
 4. Ask for a written proposed resolution of the complaint or plan of action within five days of the date of the written complaint.
 - B. If the complaint is not resolved at this level within five days, it may be taken to the superintendent of the district. In addition to presenting the written complaint, ask for an appointment to see the superintendent to discuss the complaint. At the end of the discussion with the superintendent, ask for a written resolution within five days of the date of the discussion.
 - C. If the complaint is still not resolved, it may be possible to appeal to the local Board of Education.
- II. State Level -- If the complaint is not resolved in a satisfactory manner at the local level and if it involves a state or federal program, the complaint may be brought to the Department of Elementary and Secondary Education. Complaints made under this process must be made in writing and signed by the complainant. The following steps are to be taken:
 - A. Address the complaint to the State Homeless Coordinator, Federal Discretionary Grants, P.O. Box 480, Jefferson City, Missouri 65102-0480.
 - B. Include in the complaint:
 1. a description of the complaint
 2. the name(s) and age(s) of the children involved
 3. the name(s) of involved school district personnel and the district(s) they represent
 4. a description of attempts that were made to solve the issue at the local level
 - C. The Director of Federal Discretionary Grants will inform the involved school district(s) of the complaint. The director or designee will gather needed information from statements of the parties involved and may conduct an independent investigation through an on-site visit if necessary.
 - D. Within thirty days* after receiving a complaint, the Director of Federal Discretionary Grants will resolve the complaint and will inform interested parties, in writing, of the decision.

- E. If a complainant disagrees with the decision, the complainant may, within 10 working days, appeal to the Deputy Commissioner of Education. This appeal must be in writing and state why the complainant disagrees with the decision.
- F. Within 30 days* after receiving an appeal, the Deputy Commissioner of Education will render a final administrative decision and notify the complainant and all other interested parties in writing.
- G. If the complainant disagrees with the decision of the Deputy Commissioner of Education in a matter concerning homeless child(ren) or youth, the complainant may request a review of the decision by the United States Secretary of Education in accordance with 34 CFR Part 299.11.
- H. While the dispute is being resolved, the child(ren) in question must be enrolled in school. If the dispute is concerning the school of best interest, the child must be enrolled in the school of residence unless arrangements are already implemented to allow the child to attend the school of origin.
- I. It is the responsibility of the personnel in the school or district of residence to inform the complainant of the Complaint Resolution Procedures.

* Although the standard procedure allows 30 days for a response, every effort will be made to resolve the complaint in the shortest possible time.